

Minutes
King County Rural Forest Commission
December 12, 2003
Preston Community Center

Commissioners present: Gordon Bradley, Dennis Dart, Lee Kahn, Bill Kombol, Fred McCarty, Doug McClelland, Dave Warren

Commissioners absent: Jean Bouffard, Rudy Edwards, Matt Mattson, Doug Schindler

Exofficio members:

Staff: Benj Wadsworth, Karen Wolf

Guests: Julie Keough, Julie Stangell

Doug McClelland called the meeting to order at 9:00 am.

Minutes Approval

Motion 1-1203 "To adopt the November 2003 minutes as written."

Motion moved, seconded and approved.

Chair Report

Dennis Dart commented that logging has begun at the Uplands. Doug McClelland stated that the purpose of this special meeting is to discuss the amendments to the 2004 Comprehensive Plan. Karen Wolf announced that she has moved from DDES to the Executive's Office, where she will continue to work on many of the same issues.

Staff Report

Benj distributed the final letter commenting on the CAO. It has been submitted via e-mail to those working on the CAO.

Doug McClelland and Dennis Dart are still working on the letter expressing concerns about County administration of 4G permits.

Benj distributed the annual summary of the RFC's activities. He is required to submit it to the Executive's office.

Benj apologized for breezing over the Forestry staff's 2004 work plan at the November meeting. He values the RFC's input but time was limited at that meeting. He distributed the staff allocation plan that Jerry Balcom put together with staff input. Part of the reason that Benj did not spend much time on it is that there is not a whole lot of leeway given that there is one less staff position in the program. Benj suggested that the RFC could use time at the Jan meeting to discuss the work plan in more detail.

The RFC needs to elect a vice-chair and member-at-large.

Both Dave Warren and Dennis Dart have suggested that the January meeting would be a good time for a field trip – either to the Agren Park thinning project on Vashon or to the Uplands harvest.

The Friends of Rock Creek's conservation plan is being reviewed independently by Bill Kombol, Fred McCarty and Jean Bouffard. FRCV is hoping that the RFC will formally endorse the plan. All agreed to discuss further in January.

Dave Warren commented that the Vashon Forest Stewards and the Vashon Park District have hired Timbertec to do the thinning at Agren Park. They will likely begin around December 22 and be operating for two weeks. Dave is trying to set-up a field trip to observe the harvest. The Forest Stewards are also close to signing a lease with King County to develop a log yard in the industrial area of the island. Dave hopes that some of the logs harvested at Agren can be stored at the log yard. The Stewards hope to purchase \$30,000 worth of the timber, including some 80-100 year old trees. The hope is to mill the old trees into 20-24 ft beams and use them on the island.

The Stewards recently hosted a meeting with Ecotrust and Phil Guillery from the Community Forestry Resource Center in Minnesota. Phil's main message was the importance of marketing timber effectively. Discussion ensued about the public relations that the Stewards are doing to ensure that there is public acceptance of the Agren harvest, and about the actual harvest plan. Dave and Dean Berg will be on-site in the beginning of the project to ensure that it is being done as planned.

Dennis Dart announced that International Forestry has been logging for a week and a half at the Uplands. There is a lot of conifer on site. Timbertec is doing the logging. The neighbors seem to be supportive of the project.

Benj commented that there is a meeting of the DDES citizen environmental committee on January 16. They plan to focus part of the meeting on forestry issues. Benj has submitted as agenda items the issues that the RFC has discussed but suggested that they should give some thought to other issues that would be appropriate for this meeting. Dennis commented that there is a need to discuss that putting gravel on forest roads and cleaning ditch lines is appropriate in the winter and helps stop erosion.

2004 Comprehensive Plan amendment

Doug McClelland introduced the discussion as a follow up to the November meeting. The deadline for comments on the Comp Plan update is January 30. Doug emphasized the need to stay focused on the proposed amendments to the plan. Bill Kombol commented that there might be additional comments that are not on the list of amendments.

Regarding K.C.C. 21A.08.040, the proposal to allow museums in the FPD, the RFC suggested at the November meeting that museums should not be allowed in the FPD. Benj commented that the Preston mill site is in fact in the FPD, and there has been discussion over the years of turning it into a museum about forestry. The RFC also suggested at the Nov meeting that some types of museums might be appropriate, such as those focused on natural resources, but it would not be a good idea to site another EMP, for example, in the FPD. Doug suggested that the issue be put to vote using the following system: thumbs up = approve, thumbs down = disapprove, and thumbs sideways = I can live with it.

Motion 1-1203: To allow museums that focus on natural resource issues to locate in the FPD. All voted thumbs-up.

Regarding K.C.C. 21A.08.050, a proposal to allow “miscellaneous repair of tools and machinery”, discussion revolved around the difference between the APD and the FPD. It might be appropriate to have a machine repair shop in the APD, but not in the FPD, as we do not want to draw people into the FPD. Also, there is a difference between repairing one’s own equipment and running a business to repair other people’s equipment. The key is allowing what is appropriate without leaving loopholes for the regulation to be abused. Currently, you can only do commercial machine repair in industrial zones. You can repair your own machinery anywhere. Fred suggested that it might be appropriate to address the issue in the Rural Area rather than the FPD. Doug reiterated that the FPD is fundamentally different than the APD or Rural Area. It is meant for growing trees, and other uses are not appropriate. Also, there have been no complaints or requests to allow machine repair in the FPD. In short, if it ain’t broke, don’t fix it. Julie Keough suggested that the situation is different for small and large landowners. She feels that the focus in this case should be on the small landowners. It is difficult for small landowners to stay in forestry, and it may be that some small landowners are running side

businesses repairing machines that make it possible for them to stay in forestry. If this is the case, it would be too bad to drive them out of business.

Motion 2-1203: To strike the amendment as it pertains to the FPD. Landowners should be allowed to repair their own machinery but not run a business repairing others' machinery. All voted thumbs-up.

Regarding K.C.C. 21A.08.080, a proposal to allow small sawmills in the Rural Area on lots at least 10-acres in size. At the last meeting the RFC suggested that there is no need for a 10-acre minimum – the real issue is ensuring that a mill is buffered so that impacts on surrounding properties are minimized. Discussion ensued about the difference between a permanent mill and a portable mill. Currently you are allowed to operate a portable mill on any site where timber is being harvested. Bill Kombol suggested that a 10-acre minimum is fine, so as to ensure that the impacts are buffered, but the zone is not important. A mill should be allowed on 10 acres in the RA-5 zone. Doug commented that milling is different than composting or wood chipping, which should not be allowed.

Motion 3-1203: To allow a mill on any 10-acre site in the Rural Area. All voted thumbs-up.

Regarding K.C.C. 21A.30, the allowance of home occupations in the Rural Area. Currently, you can use up to 20% of your residence for a home occupation, but this does not include parking. The amendment would allow the use of up to 1% of the lot, up to a total of 5000 sq. ft., for a home occupation. The RFC decided that the issue is not relevant to forestry in King County, and it is not necessary to comment.

Regarding R-521, K.C.C. 19A, residential development in the FPD, Doug provided a summary of the issue and the history of the FPD. With the support of the commercial forestry industry, KC designated the FPD and created the 80-acre zone in 1985. Since then, pressure has increased to develop land in the FPD. Different counties have addressed the concern in a different ways. In 2000, King County proposed a regulation similar to that proposed this year that would restrict building on new lots. It was pulled from the plan at the last minute so as not to undermine efforts to come to a more permanent agreement with the large landowners. Instead, King County signed a 2-year standstill agreement with Weyerhaeuser and Plum Creek. The RFC discussed this issue at length in 2000. The proposal would also allow the transfer of development rights down to the 80-acre lot size. The RFC decided in 2000 that it would be best for forestry to keep large, undeveloped lots in the FPD. However, the landowners have a value in the land, and there needs to be some mechanism to retain that value. A regulation that removes that value could lead to faster development. Thus the RFC supports the intent of the regulation, but not the regulatory mechanism. Zoning is not permanent, and it would be naïve to

think that a regulation would provide permanent protection to the FPD. Rather, we need to rely on ongoing efforts to purchase the development rights.

Bill Kombol commented that a regulation preventing residential development in the FPD constitutes a taking of land value. Although he personally will not be effected, he is opposed to the regulation in principle.

Doug asked if the RFC still agrees that landowners in the FPD should be compensated for the value of their land, and therefor that a regulation prohibiting development is not advisable. Everyone agreed. Dave Warren asked if the funding is realistically going to be available in the near future. It might not be wise to rely on acquisition of development rights as a solution. Discussion ensued about the transfer value of the development rights. Bill Kombol pointed out that there are appx. 30,000 80-acre lots in the FPD. It is not possible to absorb that many development credits through the TDR program. Doug commented that there is a strong market for 20-acre parcels of forestland, but Julie Keough suggested that might not be the case right now, and there is not much demand for 80-acre lots. An 80-acre lot with 20 year-old trees is worth about \$250,000. The bottom line is that in today's market, it is not accurate to suggest that the value of land can be maintained through the TDR program.

Doug summarized that the RFC's main point should be that it is crucial for the County to focus on conserving the FPD through incentive programs. The RFC encourages continued voluntary standstill agreements to buy time for the County to raise the funds to acquire development rights. Dave Warren commented that the window of opportunity might be as short at 4 or 5 years. Julie Stangell suggested that the window might be even smaller, but Hancock is working actively with the County to find a solution. A regulation in the Comp Plan could derail those negotiations. Bill Kombol commented that the County should be grateful that Hancock purchased forestland in the County and should do whatever is possible to make them happy, not diminish the value of their land with additional regulations. Benj commented that \$250,000 is not a great deal of money for many people in this area. While the recession may have relieved some of the pressure, it would be naïve to think that there will not be a market for 80-acre lots in the FPD in the near future. Karen asked what the RFC suggests if they support the goal of protecting the FPD but not the regulatory recommendation. A standstill agreement will only be with the largest landowners and will not solve the problem in the long term. Doug suggested that the RFC should emphasize that funds should be focused on buying development rights only, not purchasing easements on wider buffers. The Forest Practice Rules go far enough in protecting streams and other sensitive areas. This message should be sent to Larry Phillips, Rob McKenna and Ron Sims. Dave Warren commented that the riparian easements that were proposed as part of the original Evergreen Forest Trust effort were important to gaining the support of various constituencies for conserving working forests.

Motion 4-1203: To strike R-521 and pursue voluntary agreements with landowners to conserve forestland in the FPD. To encourage voluntary standstill agreements and to focus on acquiring just development rights rather than additional riparian easements. All voted thumbs-up.

Other issues:

Dennis Dart expressed concern that the development moratorium on class 3 forest practice permits should cover just the area that is impacted by harvest, not an entire parcel. WADNR's position is that the moratorium should only effect the impacted area. The Comp Plan reads this way, but DDES interprets it differently, placing the moratorium on the entire parcel. Doug elaborated that the Comp Plan also reads that King County will develop a list of uses that are allowable under a moratorium. This has not yet been done. If the only problem is that DDES cannot track the process if it is only on the effected part of the parcel, then the system needs to change.

Regarding R-529, Dennis Dart expressed concern that WADNR should not have to worry about whether or not the County is administering 4G permits. Benj clarified that the wording might be poor, but all it really says is that the County has jurisdiction over 4Gs.

Julie Stangell commented that Weyerhaeuser is no longer involved with the biosolids program, as is mentioned on page 3-31.

Bill Kombol suggested a new policy that KC shall cooperate with landowners to study what lands in the FPD no longer logically belong in the FPD. Doug commented that there is a need to look carefully at the area around Black Diamond and develop a creative solution to keep those lands in forestry – both industrial and rural. Doug suggested that the RFC submit formal comment about how to conserve forestland in that area.

Regarding the Forestry Program work plan, Doug suggested that it is important for staff and upper level management to attend the RFC meetings. Benj suggested that a better way to reach upper-level management and Council members is through field trips and special presentations.

Next meeting

Wednesday, January 14, 9:00 – 12:00, Preston Community Center.

Note - the meeting schedule for the next 5 months is as follows:

January 14

March 10

Rural Forest Commission Minutes

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